



Lamoine Board of Selectmen

606 Douglas Hwy
Lamoine, ME 04605
(207) 667-2242
town@lamoine-me.gov

Minutes of May 27, 2010

Chair Jo Cooper called the meeting to order at 7:00 PM

Present were: Selectmen S. Josephine Cooper, Gary McFarland, Richard Fennelly, Jr. (Selectmen Donaldson and Brann had notified the Board they would not be able to attend; Administrative Assistant Stu Marckoon, Transfer Station Manager Bill Fennelly, Assessor/Deputy CEO/Road Commissioner Michael Jordan, Susan Tardif, Paul Denoncourt, Bill Varney (Premium Choice), Tim Varney (Premium Choice) and Andy Breda (Premium Choice)

Agenda Review – Selectmen agreed to move the first item on the printed addendum to follow the minutes and warrant signing to accommodate those present.

Minutes – May 13, 2010 – Jo presented several written changes from Cynthia. Richard had several written changes as well. Jo moved to approve the minutes with the corrections. Gary 2nd. **Vote in favor was 3-0.**

Minutes – May 20, 2010 – Jo moved to approve the minutes as presented. Gary 2nd. **Vote in favor was 3-0.**

Expenditure Warrant 23 – Selectmen signed expenditure warrant 23 in the amount of \$14,151.03.

Cash & Budget Report – There were no questions about the written report.

Coolidge Crossing/Private Way – Stu explained that Susan Tardif and Paul Denoncourt were issued a building permit for a home accessed by Coolidge Crossing. He said when he went to measure for an address, he discovered that the road was more than 500-feet from Shore Road, and Coolidge Crossing would qualify as a “private way” under the Building and Land Use Ordinance. He said because of the distance of the private way, a turnout for emergency vehicles is required by ordinance. He said Ms. Tardif has offered to construct a turnout, but she does not own the land where it would have to be located. He said the land in question belongs to the town, but he isn’t sure what authority the Selectmen have to authorize such construction.

Richard asked whether the town would have to grant permission to build the turnout. Jo asked how much the proposed turnout would impact the property. Ms. Tardif said the proposed area is clear of trees. Richard asked who owns the property along Coolidge Crossing. Ms. Tardif said that the abutters do.

Richard said this would appear to be a question of widening an existing road over which the town has a right of way. He said he would favor granting permission if it’s OK with everyone. Ms. Tardif said they want to impact the property as little as possible. Jo said she thinks the Board of Selectmen has authority to grant the road alteration permission.

She moved to give permission to Ms. Tardif and Dr. Denoncourt to utilize town land for an emergency vehicle turnout. Gary 2nd. Richard said to him this is a safety issue. **Vote in favor was 3-0.**

Job Descriptions – Stu reported that he formatted the proposed changed job descriptions as requested, and also prepared a comparison memo. Richard asked if the supervisor of the Town Clerk had changed. Stu said that was done by contract a while ago. Richard asked to add, parenthetically, that the Board of Selectmen be added to the words “appointing authority”.

Jo asked if the reason for the changes is because of the way business is conducted. Stu said that’s part of it, and the job has evolved over the years. The board agreed to have a final reading of the proposed changes and possible approval at the next meeting.

Town Meeting Format Survey – Selectmen said the final draft looked fine. Stu noted that Cynthia had offered to hand out the surveys on June 8th. He said he would not be around for the opening of the polls as he was asked to moderate the town meeting in Stockton Spring, which elects the moderator the same day, but he would be back later that day.

Special Town Meeting Issues (referendum, June 29, 2010) – Jo said the Selectmen should invite the superintendents of RSU 24 and AOS 91 to the public hearing. Stu said he would take care of that. Jo said she doesn’t mind moderating the public hearing on June 14th.

Stu said the production and distribution of literature could present a potential problem. He said the Local School Advisory Committee has produced a pamphlet which he has posted at their section of the website. He said even though the information seems neutral and straightforward, there could always be some perception of bias. He said the town office should not be reproducing pamphlets on the issue and no pamphlets could be within 250-feet of the polls. Selectmen said that any information that would be distributed on this issue should be available at the public hearing. There was a brief discussion about the implications of producing potential campaign literature and the requirement that the town not be involved in promoting one side or another.

Safe Routes to School – Jo reported that a meeting was held earlier in the day on the grant program. She said the question to the board was whether it is OK to proceed. She said the program asks for proposals every other year, and the deadline is July 1st. She said Jim Fisher of the Hancock County Planning Commission and Doug Michael of Healthy Acadia were at the meeting and willing to help.

Jo said there were many questions that came up. She said what sparked her interest in the potential grant was seeing families walking to school along Route 184. She said the idea of installing a sidewalk from Shore Road to the school was discussed as the most feasible idea. She said maintenance of the sidewalks was a question. Also discussed was widening the shoulders. Jo said the way the curb was built a few years ago makes a sidewalk project relatively easy. She said it would take a couple of years, if the grant

were approved, to get into the construction cycle. She said a sidewalk would not be a lot of work. She asked if it was OK to say the town would pursue maintenance cost exploration in the grant form.

Richard asked whether a sidewalk would be in the Maine DOT Right of Way. Jo said the Planning Commission is looking into that. Richard asked about snow removal. There was a brief discussion about snow removal techniques.

Jo said a sidewalk would enhance several aspects of the neighborhood, including town events, church events and grange events. She said another part of the plan is to establish a cross walk at Mill Road, landing on a short sidewalk that would lead to the path between the Alley and Murphy homes. She said a sidewalk could also help accommodate a bike path which might be in the long term plans.

Michael Jordan noted that the mailboxes are located on the side of the road where the sidewalk is proposed. Jo said she just wants to see if the project might be feasible. There was a discussion about the project layout. Richard said more information should be gathered on what the town's obligation for snow removal would be. Jo said this might be able to tie into a town health plan some day.

Premium Choice Broadband – Bill Varney, Tim Varney and Andy Breda of Premium Choice arrived at the meeting. Bill Varney said they've been in business for about 3-years and have about 2,000 customers. He said they serve an area from Greenville to Deer Isle and to the south. He handed out several coverage maps and said they have located equipment on a tower in Ellsworth near Buttermilk Road.

Richard asked where the coverage information came from. Mr. Breda said it was from census data. There was a brief discussion about the accuracy of the cable coverage.

Bill Varney said when they start covering a new area; they can do a survey and put in relays. He explained how relays work and showed off a new combination flagpole/transmitter setup. Gary asked who pays for the installation equipment. Mr. Varney said the customers all pay the same monthly fee. He said they are approaching a customer base of about 600 in Hancock County. Richard asked about relays and the amount of coverage. Mr. Varney said he expected relays could provide 90 to 95% coverage.

Jo said she'd seen the discussion of the coverage claims by Premium Choice, but she had never heard of the company. She asked if one broadband service precludes another from locating in town. Mr. Varney said it's generally too expensive to duplicate services offered by another company. He explained about how radio interference issues were solved. There was a brief discussion about the relay distance coverage.

Mr. Varney said his company does not come into an area to compete with cable. He said the service they offer is as good as DSL. Richard said his questions had been answered. Mr. Varney said they were not trying to get grants. He said if people ask about wireless broadband, they are able to provide service. Richard asked what the

commitment is to the area. Mr. Varney said they would have a lot of people in the area, and they are currently putting equipment in Sullivan and Gouldsboro. Richard said there is a lot of interest in broadband service. There was a brief discussion about towers.

Mr. Varney said their biggest problem has been about folks knowing the service is available. Stu noted that Premium Choice had objected to the Axiom ConnectME grant. Mr. Varney said it would have been illegal for the ConnectME program to give Axiom a grant because of the amount of private penetration, but he said Lamoine is a weaker coverage area.

Goals – Selectmen reviewed the draft and had no objection to using it as a guidance document for the year.

Trees at Fire Station – Stu reported the trees between the fire station and the neighboring home are in tough shape, and keep falling on roofs. He said the neighbor expressed a strong desire to have the trees removed, and most of them are on the town's side of the line. He said he's been gathering estimates and the lowest so far is \$1,200. He said if there is some money available in June, this might be a good project to encumber.

Business Development Forum – Selectmen signed thank-you notes to Ron Beard, Janet Toth and Roxanne Jobe. There was a brief discussion about the forum.

Tax Abatement – Stu reported he prepared a fairly generic memo to update where things stand with the Barbara Davis case in response to e-mail sent by Jo. Jo said Mr. Haass had called her. She said she didn't know what the next step would be. Mike Jordan said the abatement is before the Board of Assessors.

Vacation – Selectmen had no objection to Stu taking a vacation week from August 16th to the 22nd.

Transfer Station – Jo read a memo from Bill Fennelly in regard to Department of Labor (DOL) Bureau of Labor Standards (BLS). Mr. Fennelly said BLS had changed guidelines on transfer stations. He said light bulbs need guards or covers, he needs fire extinguisher training, and he suggested a Safety Works consultation. Richard said if a consultation is requested, BLS typically won't write up the requester.

Stu asked if he could see the BLS Checklist for Transfer Stations and get a copy, since the DOL doesn't seem to send them to town offices. He suggested that the fire station be included in the Safety Works consultation and noted that when he'd requested that years ago, the Board of Selectmen were adamant that it not happen. There was no objection from the Selectmen.

Other – Richard asked if the Verizon Tower was active yet. Stu said he spoke with Verizon, and it doesn't look like it will be working until October at the earliest.

Richard asked about mowing the salt/sand shed. Stu said he would ask Richard McMullan.

Bill Fennelly said there are some recycling grants the town might be eligible for.

Jo thanked Gary for his efforts to quickly put together a ceremony for Memorial Day. Gary reported it would be at 10AM on Monday. He thanked Hubene Brodie for making a wreath for the event.

Richard reported he attended the Shellfish Ordinance Joint Municipal Meeting, and the board has activated the process to hire a shellfish warden. He said the City of Ellsworth needs to work with the other towns on an agreed date to start selling licenses and for a method to send in the revenues from the peck license sales. Stu said he would call Heidi Grindle at city hall. A short discussion followed in regard to license sales.

Stu reported the City of Ellsworth is considering abandoning its bulky waste service that Lamoine residents utilize because a private business is offering the same nearby. He said the private firm doesn't require the Town of Lamoine to issue permits – they charge the customers directly.

Next Meetings – The Board agreed the next meetings would be on June 3 (Jo will be late due to the school concert), June 17, July 8, and August 13.

There being no further business, the meeting adjourned at 8:30 PM

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen.